



Order Filed on January 24, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

JOSEPH D. PETROLINO, JR., ESQ., JDP-6351
MARIE-ANN GREENBERG, STANDING TRUSTEE
30 Two Bridges Road, Suite 330
Fairfield, NJ 07004
(973) 227-2840
Attorney for the Standing Trustee

In Re:

EVARISTO BURDIEZ,

Debtors

Chapter 13

Case No.: 20-23664

Judge: Vincent F. Papalia

**CONSENT ORDER PROVIDING FOR
THE DISTRIBUTION OF SALE PROCEEDS &
APPROVAL OF PRIOR DISBURSEMENTS NUNC PRO TUNC**

The relief set forth on the following pages, numbered (2) - (4), is hereby **ORDERED**.

.....
DATED: January 24, 2022

A handwritten signature in black ink, appearing to read "Vincent F. Papalia", is written over a horizontal line.
**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

Debtor: Evaristo Burdiez

Case No. 20-23664

Caption of Order: Consent Order Providing for the Distribution of Sale Proceeds & Approval of
Prior Disbursements Nunc Pro Tunc

THIS MATTER having been opened to the Court upon Motion filed by Cecilia Otero to Release Funds, Set Aside Funds, and Permit Fees Nunc Pro Tunc; and all interested parties having consented to the form and substance of the Order herein; and for good and sufficient cause shown, it is hereby:

ORDERED that the amount of \$8,903.19 shall be paid from the proceeds of sale of 365 River Road, Bogota NJ to Rosado Plumbing. This amount shall be shared equally between the co-sellers and shall come off the top before division of the sale proceeds between co-sellers Cecilia Otero and Evaristo Burdiez; and it is further

ORDERED that the amount of \$1,036.00 shall be paid from the proceeds of sale of 365 River Road, Bogota NJ to Trico Electric. This amount shall be shared equally between the co-sellers and shall come off the top before division of the sale proceeds between co-sellers Cecilia Otero and Evaristo Burdiez; and it is further

ORDERED that the amount of \$12,828.10 shall be paid from the proceeds of sale of 365 River Road, Bogota NJ to Industrial Automation Control. This amount shall be solely deducted from Evaristo Burdiez's portion of the sale proceeds that would otherwise have been earmarked for the Bankruptcy Estate; and it is further

ORDERED that the amount of \$3,500.00 shall be paid from the proceeds of sale of 365 River Road, Bogota NJ to Industrial Automation Control. This amount shall be solely deducted from Cecilia Otero's portion of the sale proceeds; and it is further

Debtor: Evaristo Burdiez

Case No. 20-23664

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Prior Disbursements Nunc Pro Tunc

ORDERED that the remaining balance of the Industrial Automation Control invoice shall be the sole responsibility of purchasers, Gloria Liliana Salazar Arbalaez and Jose Fenibal Duque or debtor, Evaristo Burdiez, if he wishes to pay same from EXEMPT sale proceeds or other EXEMPT assets; and it is further

ORDERED that the funds released to the firm of Patel Soltis Cardenas & Boat in the amount of \$45,960.00 for attorney fees from Cecilia Otero's portion of the proceeds of sale of the Property are deemed permitted Nunc Pro Tunc; and it is further

ORDERED that the funds released to debtor, Evaristo Burdiez, from his portion of the sale proceeds on account of his homestead exemption in the amount of \$25,150.00 are deemed permitted Nunc Pro Tunc; and it is further

ORDERED that the funds released from debtor's portion of the sale proceeds to pay debtor's Judgment in the amount \$788.26 are deemed permitted Nunc Pro Tunc; and it is further

ORDERED that the purchasers, Gloria Liliana Salazar Arbalaez and Jose Fenibal Duque, shall assume full responsibility and liability for obtaining a Certificate of Occupancy for 365 River Road, Bogota NJ and for any claims, penalties, fines or other issues arising from same; and it is further

ORDERED that the parties herein hereby waive and forever release any claim or right to assert any cause of action or alleged cause of action or claim or demand against each other as it pertains to this Bankruptcy Case or the Sale of 365 River Road, Bogota, NJ. This release does not affect the Trustee's right to file an Objection to Confirmation or take any other appropriate action as to issues not related to the sale of 365 River Road, Bogota, NJ; and it is further

Debtor: Evaristo Burdiez

Case No. 20-23664

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ORDERED that Cecilia Otero is entitled to \$138,138.14 as her portion of the proceeds from sale of the Property and that these funds are to be released to the Patel Soltis Attorney Trust Account; and it is further

ORDERED that debtor, Evaristo Burdiez, is entitled to \$148,831.81 as his portion of the proceeds from sale of the Property and that these funds are to be released to Marie-Ann Greenberg, Chapter 13 Standing Trustee for payment in debtor's Chapter 13 Plan. These funds are non-exempt assets of the Bankruptcy Estate.

The undersigned hereby consent to the form,
Content and entry of the within Order.

/s/Joseph D. Petrolino, Jr.

Joseph D. Petrolino, Jr., Esq.
Attorney for Marie-Ann Greenberg, Chapter 13 Standing Trustee

/s/Roger Chavez

Roger Chavez, Esq.
Law Offices of Roger Chavez, Esq.
Attorney for Debtor, Evaristo Burdiez

/s/John Voorhees

John Voorhees, Esq.
Law Offices of Patel, Soltis & Cardenas, LLC.
Attorneys for Cecilia Otero

/s/Franklin G. Soto

Franklin G. Soto, Esq.
Law Offices of Bastarika, Soto, LLP.
Attorneys for Gloria Liliana Salazar Arbalaez and Jose Fenibal Duque

In re:
Evaristo Burdiez
Debtor

Case No. 20-23664-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 24, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 26, 2022:

Recip ID	Recipient Name and Address
db	+ Evaristo Burdiez, 365 River Road, Bogota, NJ 07603-1017

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 26, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 24, 2022 at the address(es) listed below:

Name	Email Address
Alex A Pisarevsky	on behalf of Interested Party Melissa Cohen Esq ap@njlawfirm.com
Alex A Pisarevsky	on behalf of Creditor Weinberg & Cooper LLC ap@njlawfirm.com
Alex A Pisarevsky	on behalf of Creditor Weinberg & Cooper LLC ap@njlawfirm.com
David Kromm	on behalf of Creditor The Port Authority of New York and New Jersey dkromm@panynj.gov panylit@panynj.gov
Denise E. Carlon	on behalf of Creditor U.S. Bank Trust National Association as Trustee for GIFM Holdings Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Franklin G. Soto	

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Jan 24, 2022

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor Jose Fenibal Duque-Castano yesenia@bsglaw.com sotofr96356@notify.bestcase.com

Franklin G. Soto

on behalf of Creditor Claudia Marcela Duque-Salazar yesenia@bsglaw.com sotofr96356@notify.bestcase.com

Franklin G. Soto

on behalf of Creditor Gloria Liliana Salazar yesenia@bsglaw.com sotofr96356@notify.bestcase.com

Gregory L. Van Dyck

on behalf of Creditor NJSVS Surcharge Violation System Office gregory.vandyck@law.njoag.gov

Jeffrey A. Bronster

on behalf of Creditor North Jersey Public Adjusters Inc. jbronster@bronsterlaw.com

Jill Cadre

on behalf of Debtor Evaristo Burdiez jill@cadrelaw.com

Jill Cadre

on behalf of Creditor Cecilia Otero jill@cadrelaw.com

John Richard Voorhees, III

on behalf of Creditor Cecilia Otero bk@focusedlaw.com
bk@focusedlaw.com;g35648@notify.cincompass.com;10440@notices.nextchapterbk.com

Marie-Ann Greenberg

magecf@magtrustee.com

Marie-Ann Greenberg

on behalf of Trustee Marie-Ann Greenberg magecf@magtrustee.com

Roger Chavez

on behalf of Debtor Evaristo Burdiez rchavez@chavezlegal.com rchavez01@aol.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 17